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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 AMANDA MILNER,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration

14 Defendant.
15

CASE NO. 11-cv-05554 RJB

REPORT AND
RECOMMENDATION ON
UNOPPOSED MOTION FOR
REMAND

16 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to
17 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by
18 Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the
19 Court on Defendant's unopposed motion to remand the matter to the administration for
20 further consideration. (ECF No. 8.)
21


22 Based on Defendant's Motion for Remand pursuant to sentence six of section
23 405(g) of the Social Security Act, 42 U.S.C. § 405(g) and noting that good cause for
24 remand has been shown due to the inaudible nature of the hearing recordings, the

undersigned recommends that the Court grant Defendant's motion, and remand this matter to the Commissioner.

- The case should be remanded to an Administrative Law Judge for a *de novo* hearing.
- This Court should maintain jurisdiction over the case.
- Defendant shall advise the court of the outcome of the remand hearing.
- If the outcome of the remand hearing is not favorable to Plaintiff, Defendant shall move to reinstate the case so that Plaintiff need not file a new complaint in order to obtain judicial review.

Given the facts and the lack of opposition from Plaintiff, the undersigned recommends that the District Judge immediately approve this Report and Recommendation and order that the case be **REMANDED** pursuant to sentence six of 42 U.S.C. § 405(g).

Dated this 6th day of October, 2011.



J. Richard Creatura
United States Magistrate Judge